

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MEDFORD  
~~EUGENE~~ DIVISION

MAX QUZENE CLAUNCH,

Plaintiff, Civil No. 11-3128-CL

v. ORDER

DOUGLAS COUNTY JAIL, et al.,

Defendants.

CLARKE, Magistrate Judge.

Plaintiff filed a complaint under 42 U.S.C. §1983, but did not pay the filing fee or file an application to proceed in forma pauperis.

Pursuant to 28 U.S.C. § 1914, a party seeking to institute a civil action shall pay a filing fee of \$350.00. An action may proceed without the prepayment of a filing fee only upon a proper application to proceed in forma pauperis. 28 U.S.C. § 1915(a). A prisoner granted leave to proceed in forma pauperis may be required to pay a initial partial filing fee and shall be required to make monthly payments towards

satisfaction of the filing fee when sufficient funds are credited to his or her trust account. 28 U.S.C. § 1915(b).

Accordingly, it is ordered that plaintiff shall submit the requisite fee or an application to proceed in forma pauperis within 30 days of the date of this order. Failure to either pay the fee or file a proper application to proceed in forma pauperis will result in the dismissal of this proceeding for failure to prosecute.

The clerk of the court is requested to send petitioner the appropriate form.

**In the alternative,** plaintiff may move for voluntary dismissal of this action and file an amended complaint incorporating his claims in this case into his other pending action against Douglas County and Douglas County employees, Civ. No. 11-6285-CL.

IT IS SO ORDERED

DATED this 17 day of November, 2011.

Mark D. Clarke  
United State Magistrate Judge